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C O N F I D E N T I A L SECTION 01 OF 02 OSLO 000676

SIPDIS

DEPT FOR EUR/NB AND PM/WRA (KBAKER)

E.O. 12958: DECL: 12/17/2018

TAGS: [PARM](#) [PGOV](#) [PREL](#)

SUBJECT: NORWAY RAISES QUESTION REGARDING US CLUSTER  
MUNITIONS

Classified By: DCM Kevin M. Johnson for reasons 1.4 (b and d)

11. (C) Summary. MoD Director of Security Policy, Svein Efjestad explained on December 17 that an MOD miscommunication caused a document to be sent to Parliament that erroneously indicated that the US is not storing CM in Norway. Efjestad outlined some possible ways to approach the USG regarding this issue. Embassy requests guidance on how to respond. End Summary.

#### The Problem

12. (C) On December 17, the Defense Attache met MoD Director of Security Policy, Svein Efjestad, to discuss Cluster Munitions(CM) stored in Norway. According to Efjestad, on October 17, MFA forwarded Proposition Number 4 to the Parliament in preparation for ratification of the CM treaty. This document was appropriately coordinated with the working level of the MoD, but a miscommunication occurred. The MoD action officer appropriately queried the Norwegian military point of contact for the Marine Corps Pre-positioning Program - Norway (MCPN) to determine if there were any US weapons that could be classified as CM stored in Norway. The answer was that the remaining CM had been destroyed in 2006. This was forwarded to MFA, who then forwarded it to Parliament within Proposition Number 4. In early December 2008, during the press coverage of the CM Convention signing in Oslo, a Norwegian MCPN action officer felt obligated to ensure that MoD was aware that there were weapons that could be classified as CM in the MCPN caves. This information made its way to Efjestad on Monday, December 15. On Tuesday, December 16, Efjestad sent a letter to MFA which informed MFA of the actual status of US CM in Norway and requested that MFA correct the record with Parliament. The letter also indicated that MoD was fully responsible for the previous incorrect information that had been provided to MFA.

13. (C) According to Efjestad, Norwegian legal experts are of the opinion that Norway has jurisdiction over all CM stored on Norwegian soil, including the US CM stored in the MCPN caves. Therefore, on behalf of the MoD, Efjestad is under pressure to work out an arrangement with the USG to remove or destroy the remaining US CM. Efjestad intends to handle the situation at the lowest possible level, to limit public awareness. He feels obligated to provide a formal letter requesting the removal/destruction. He offered the following possible methods:

--MoD directs the Norwegian Defense Logistics Organization (NDLO) to work with US authorities to remove/destroy the remaining US CM. (This is Efjestad's preference.)

--MoD letter to US Embassy

--MoD letter to OSD Policy

Efjestad stated that the Norwegian goal was to destroy the

remaining Norwegian CM over the next two years, and mentioned that from the Norwegian perspective, it would be appreciated if the US could match this timeline. He acknowledged that the CM Convention states the signatory nations will meet a deadline of eight years from the date of entry into effect.

#### Norwegian Inventory of US CM

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¶4. (C) MoD Senior Advisor for International and Military Law believes the US has the following CM stored in Norway:  
--D563 Dual Purpose Improved Conventional Munitions (DPICM):  
2,544 rounds  
--D864 Extended Range Dual Purpose ICM: 2,528 rounds

#### Efjestad's Views

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¶5. (C) Efjestad believes that it is unlikely that this situation will become a major issue in the press. However, if it does get attention, he expects that the focus will be on the MoD and not the US. He went on to say that any suspicion of US involvement would be nipped in the bud by MoD because the miscommunication was clearly a problem that occurred with the MoD with no US involvement whatsoever.

¶6. (C) Efjestad asked for responses to the following:  
--What is the preferred method for MoD to deliver to the USG the request to remove/destroy the remaining US CM in Norway?  
--Are the remaining US CM likely to be destroyed or removed? (Of note, Efjestad suggested that if the US intends to destroy the CM, then it might be possible to include them with the 50, 000 warheads that Norway will be destroying.)  
--In order to ensure the US and Norwegian inventory

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information is consistent, what is the US version of how many of what type of CM is stored in Norway?

#### Embassy Assessment

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¶7. (C) Based on Office of Defense Cooperation (ODC) interaction with HQ USMC, we agree with the Norwegian list of US munitions in Norway that can be classified as CM. Although one could argue that the dual purpose munitions in their unitary mode are no longer CM, we believe this argument would likely not resonate with the Norwegian CM experts.

¶8. (C) A question has arisen whether the MCPP-N program supports NATO. The Marine Corps has informed ODC that the precursor to the MCPP-N program did, in fact, support NATO force goals, but the current MCPP-N program does not.

#### Embassy Action Request

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¶9. (C) The Embassy requests answers to MOD's questions as well as contingency press guidance, in case this becomes a public controversy.  
WHITNEY